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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 JEFFREY L. DRYDEN,

8 Plaintiff,

9 v.

10 JANITA FAEN, et al.,

11 Defendants.

Case No. 2:14-cv-01625-GMN-NJK

ORDER

(Mot Vacate ENE – ECF No. 67)


12 This matter is before the court on Defendants' Request to Vacate Early Neutral Evaluation  
13 (ECF No. 67). Dryden, who is appearing pro se, has not responded to defendants' pending motion  
14 to dismiss which was filed January 6, 2017 after Judge Koppe lifted the stay that had been in place  
15 until conclusion of a pending state case. See Oder, ECF No 58. The state case was concluded  
16 when the Nevada Supreme Court denied Dryden's appeal of a District Court order declaring  
17 Dryden a vexatious litigant on December 2, 2016.

18 The order lifting the stay in this case gave defendants until January 6, 2017 to renew an  
19 earlier filed motion to dismiss that was denied without prejudice along with a number of other  
20 pending motions when the stay was granted. A minute order regarding the requirement of *Klinge*  
21 *v. Eikenberry* and *Rand v. Rowland* was issued and served on the parties August 27, 2016, the day  
22 after defendants' original motion to dismiss was filed. See ECF No 16. Thus, plaintiff has been  
23 advised of the time frame and other requirements for responding to a dispositive motion, but has  
24 not done so. Conducting an ENE requiring 6 individual defendants who are key employees of  
25 UNLV, and the State Tort Fund's Manager to attend would be a waste of the parties' and the  
26 court's resources given the procedural posture of the case.

27 Having reviewed the motion and for good cause shown,  
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1           **IT IS ORDERED** that the ENE Conference scheduled for April 26, 2017, at 9:30 a.m., is  
2 **VACATED.**

3           DATED this 17th day of March, 2017.

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6 PEGGY A. LEEN  
7 UNITED STATES MAGISTRATE JUDGE  
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